



House of Representatives

File No. 769

General Assembly

February Session, 2008

(Reprint of File No. 333)

Substitute House Bill No. 5855
As Amended by House Amendment Schedule
"A"

Approved by the Legislative Commissioner
May 1, 2008

AN ACT CONCERNING HUNTING OF MOOSE AND BEAR AND THE DISCARDING OF FISHING LINE OR OTHER LITTER IN THE WATERS OF THE STATE.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Upon the conviction of
2 any person who takes moose or bear in violation of part IV of chapter
3 490 of the general statutes, the Commissioner of Environmental
4 Protection shall suspend such person's hunting license for a period of
5 not less than one year and such person shall, for a first offense, be
6 fined not less than five hundred dollars or be imprisoned not more
7 than ninety days or both. For a second violation, the commissioner
8 shall suspend such person's hunting license for a period of not less
9 than two years, and such person shall be fined not less than seven
10 hundred fifty dollars or be imprisoned not more than one hundred
11 twenty days, or both. For a third or subsequent offense, the
12 commissioner shall permanently revoke such person's hunting license,
13 and such person shall be fined not less than one thousand dollars or be
14 imprisoned not more than one hundred eighty days, or both.

15 (b) Nothing in this section shall prevent the commissioner from
16 designating an open season on the hunting of moose and bear
17 pursuant to part IV of chapter 490 of the general statutes.

18 Sec. 2. (NEW) (*Effective October 1, 2008*) Each sport fishing license
19 issued pursuant to part III of chapter 490 of the general statutes shall
20 contain a conspicuous statement with or printed on such license
21 stating that any person who intentionally discards fishing line or other
22 litter in the waters of the state, on public property of the state or on
23 private property not owned by such person, shall be subject to a fine
24 under section 22a-250 of the general statutes.

| | | |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>October 1, 2008</i> | New section |

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 09 \$ | FY 10 \$ |
|--|-----------------------------|----------|----------|
| Judicial Dept. | GF - Potential Revenue Gain | Minimal | Minimal |
| Judicial Department (Probation); Correction, Dept. | GF - Potential Cost | Minimal | Minimal |

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill enhances the criminal penalties¹ that may be imposed on any hunter who illegally hunts moose or bear. Relatively few offenses are anticipated under the bill.² As a consequence, it is anticipated that any potential revenue gain from criminal fines or cost for incarceration or probation supervision would be minimal under the bill.

The bill also subjects the intentional disposal of fishing line in state waters, or on certain property, to a fine. This could result in a minimal revenue gain to the Department of Environmental Protection (DEP).

House Amendment "A" creates fines for the intentional disposal of fishing line in state waters or on other property, which could result in a minimal revenue gain to the state.

The Out Years

¹ Current law provides for a fine of up to \$200 and/or imprisonment for up to 60 days; the bill provides for a fine of at least \$500 and/or imprisonment for up to 90 days.

² In FY 07, there were a total of 22 offenses filed with the Superior Court under CGS 26-66, which governs the establishment of regulations concerning the taking of any wildlife (including moose and bears). Of this total, charges were dropped in 18 cases; three fines were issued and a bond was forfeited in one case. Total revenues were \$600 and no one was imprisoned.

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation. The annualized potential revenue would remain relatively stable into the future since fine amounts are set by statute.

OLR Bill Analysis**sHB 5855 (as amended by House "A")*****AN ACT CONCERNING HUNTING OF MOOSE AND BEAR. AN ACT
CONCERNING HUNTING OF MOOSE AND BEAR.****SUMMARY:**

By law, it is illegal to hunt moose or bear in Connecticut. This bill increases the penalties for illegal hunting of these animals and requires the Department of Environmental Protection (DEP) commissioner to suspend or revoke a violator's hunting license. It allows the commissioner to designate an open season on these animals according to law.

The bill requires all sport fishing licenses to state that it is a violation of the littering law for anyone to intentionally discard fishing line or other litter (1) on private property belonging to another person, (2) in state waters, or (3) on state property. The statement must be conspicuous and either accompany, or be printed on, the license. Violators are subject to the penalty for littering, which is a fine of up to \$199.

*House Amendment "A" adds the provision on fishing lines and other litter.

EFFECTIVE DATE: Upon passage, except the provision on fishing lines and other litter, which takes effect October 1, 2008.

**INCREASED PENALTIES FOR ILLEGAL BEAR OR MOOSE
HUNTING**

Under current law, hunters who illegally hunt moose or bear may be fined up to \$200 and imprisoned for up to 60 days (CGS § 26-71). The bill increases the penalty for first-time offenders to a fine of at least

\$500, imprisonment for up to 90 days, or both. It requires the DEP commissioner, upon conviction, to suspend the violator's hunting license for at least one year. It increases the penalty for a second-time offender to a fine of at least \$750, imprisonment for up to 120 days, or both. The commissioner, apparently upon conviction, must suspend a second-time offender's hunting license for at least two years. The bill increases the penalty for a third-time or subsequent offender to a fine of at least \$1,000, imprisonment for up to 180 days, or both. The commissioner, apparently upon conviction, must revoke a third-time or subsequent offender's hunting license.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 0 (03/12/2008)

Judiciary Committee

Joint Favorable

Yea 29 Nay 0 (04/11/2008)